



# STATE PUBLIC WORKS BOARD

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## STATE PUBLIC WORKS BOARD

February 14, 2020

### APPROVED MINUTES

#### **PRESENT:**

Ms. Gayle Miller, Chief Deputy Director, Department of Finance  
Mr. Jim Davis, Chief Deputy Director, Department of Transportation  
Mr. Daniel Kim, Director, Department of General Services

#### **CALL TO ORDER AND ROLL CALL:**

Ms. Gayle Miller, Chairperson of the Board, called the meeting to order at 10:01 a.m.  
Ms. Kat Lee, serving as Secretary to the Board, called the roll. A quorum was established.

#### **APPROVAL OF MINUTES:**

The first order of business was to approve the minutes from the January 13, 2020 Board meeting.

Ms. Sally Lukenbill, Deputy Director for the Board, reported that Board staff had prepared and reviewed the minutes from the January 13, 2020 Board meeting, and recommended approval of the minutes.

Ms. Miller asked if there were any comments or questions from the Board, or from the public. There were none.

**A motion was made by Mr. Davis and seconded by Mr. Kim to approve the minutes from January 13, 2020. The motion passed unanimously though a 3-0 roll-call vote (Ms. Miller, Mr. Davis, and Mr. Kim all voting aye).**

#### **CONSENT ITEMS:**

The next order of business was to consider the Consent Calendar, which consisted of four items. Ms. Lukenbill presenting the following:

- Consent Item 1: Consider approving an augmentation for the Calipatria State Prison – Health Care Facility Improvement Program Phase II project, in Imperial County, for the Department of Corrections and Rehabilitation.
- Consent Item 2: Consider approving preliminary plans, recognizing an anticipated deficit, and approving the use of inmate/ward labor for the California State Prison, Sacramento – Cognitive Behavioral Treatment Classrooms project, in Sacramento County, for the Department of Corrections and Rehabilitation.

- Consent Item 3: Consider recognizing revised project costs for three projects and consider approving allocation of \$2,898,000 authority to two projects, for the Health Care Facility Improvement Program, for the Department of Corrections and Rehabilitation.
- Consent Item 4: Consider recognizing a scope change and authorizing the Executive Director and Deputy Directors of the Board to amend, as they deem necessary, the existing project delivery and construction agreement with Butte County as a result of the scope change, for the Board of State and Community Corrections.

Ms. Lukenbill stated that all four items required a 20-day notice to the Joint Legislative Budget Committees and the fiscal committees in each house, and that the review period for the actions had expired without adverse comment.

Staff recommended approval of the Consent Calendar.

Ms. Miller asked if there were any questions or comments from the Board.

Mr. Davis asked if there was someone present that could address Consent Item 1.

Mr. Dean Borg, Director of the Facility Planning Construction Management Division for CDCR, approached the Board.

Mr. Davis explained his concern about the quality of the estimates, errors and omissions and asked for Mr. Borg to elaborate on the issues.

Mr. Borg addressed Mr. Davis' concerns and explained that to be responsive to the Receiver's Office desire to move to construction quickly, the design process was rushed. Mr. Borg also noted other contributing factors including inadequate field investigations of existing conditions, roof replacements that needed to be added to the projects, and unforeseen non-compliant conditions in existing infrastructure.

Mr. Kim wanted clarification on why these issues weren't discovered in the initial design phases since these were design bid-build projects.

Mr. Borg explained that destructive testing was not done and they found out later in the process that some aspects of the original building construction did not meet codes. He noted that regulatory reviews may also have been rushed and they are continuing to adjust the designs in field to meet regulatory requirements. Mr. Borg also stated that path travel/ADA designs were insufficient in the original design documents

Mr. Kim asked if Mr. Borg could provide any information on what CDCR facility staff plans to do now and in the future to avoid these issues.

Mr. Borg stated that they have been instituting several processes over the last six months by improving communication and providing additional support in the field. He noted that they had also improved their in-house design and review process.

Ms. Miller asked Mr. Borg if he could inform the Board of the steps that they are taking to improve their process. Mr. Borg agreed to work on this.

Mr. Kim had a concern about the significant cost increase regarding Consent Item 2. He asked that CDCR be mindful of cost. Mr. Kim also asked if CDCR has considered modular construction.

Mr. Borg stated that they have considered modular construction and currently have a test case in progress they will use for referencing for future projects.

Ms. Miller asked if there were any other questions from the Board, or from the public. There were none.

**A motion was made by Mr. Kim and seconded by Mr. Davis to approve the Consent Calendar. The motion passed unanimously through a 3-0 roll-call vote (Ms. Miller, Mr. Davis, and Mr. Kim all voting aye).**

#### **ACTION ITEMS:**

The next order of business was to consider one action item.

- Action Item 1: If approved, the action would adopt one Resolution of Necessity authorizing the use of eminent domain to acquire the Ross Family property in Fresno County, for the High Speed Rail Authority.

Ms. Lukenbill stated that the parcels that were the subject of the action were within the right of way for the Initial Operating Segment, Section 1 of the High Speed Train System.

On January 22, 2020, Notices of Intent to adopt a Resolution of Necessity were mailed to the property owners. The notice was sent in accordance with Code of Civil Procedure section 1245.235.

Ms. Lukenbill noted that the members' briefing packages contained the Resolution of Necessity and maps for the property.

Colleen Wahl, serving as counsel to the Board on Eminent Domain issues, presented the Resolutions of Necessity. She explained that it was counsel's opinion that there was prima facie evidence for the factors was present and that if the Board agreed and determined the factors were present, the Board may move to adopt the Resolution of Necessity.

Staff recommended adoption of the Resolution of Necessity authorizing the use of eminent domain for the Ross Family property.

Ms. Miller asked if there were any questions or comments from the Board, or from the public. There were none.

**A motion was made by Mr. Davis and seconded by Mr. Kim to adopt staff recommendation. The motion passed unanimously through a 3-0 roll-call vote (Ms. Miller, Mr. Davis, and Mr. Kim all voting aye).**

**OTHER BUSINESS:**

NONE

**REPORTABLES:**

Ms. Lukenbill presented the reportable items and told the Board that she would be happy to answer any questions. There were no questions or comments from the Board.

**NEXT MEETING:**

Ms. Miller stated that the next Board meeting was scheduled for Friday, March 13, 2020 at 10am in Room 113 at the State Capitol.

Ms. Miller asked if there were any other questions or comments from the Board, or from the public. There were none.

The meeting was adjourned at 10:19 am.